

# Chevy Chase Village Board of Managers

October 10, 2011

***Note:** These draft minutes reflect the Board's actions only, and do not include testimony given by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance. An audio recording of this meeting is available on the Village website at [www.chevychasevillagemd.gov](http://www.chevychasevillagemd.gov).*

## ***Draft***

### **BOARD OF MANAGERS**

Patricia S. Baptiste, Chair	Present
Peter T. Kilborn, Vice Chair	Present
Allison W. Shuren, Secretary	Present
Richard Ruda, Assistant Secretary	Present
Lawrence C. Heilman, Treasurer	Present
Gary Crockett, Assistant Treasurer	Present
David L. Winstead, Board Member	Present

### **VILLAGE COUNSEL**

Ronald M. Bolt	Present
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### **STAFF**

Shana R. Davis-Cook, Village Manager	Present
Adventino Dasilva, Police Sergeant	Present
Michael W. Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present

1 Ellen Sands, Permitting and Code Enforcement Coordinator Present

2 Grace Brock, Administrative Assistant/Community Liaison Present

3

4 Ms. Patricia S. Baptiste, Chair of the Chevy Chase Village Board of Managers, called the  
5 meeting to order at 7:32 p.m. Mr. Winstead arrived for the meeting at 7:52 p.m.

6

7 **Approval of Minutes from the Board's Previous Regular Meeting Held on September 12,**  
8 **2011.** Action to approve the minutes of the Board's regular meeting held on Monday, September  
9 12, 2011.

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11 *Mr. Crockett made a motion to approve the minutes from the Board of Managers' regular*  
12 *meeting held on September 12, 2011.* Dr. Heilman seconded the motion. Ms. Baptiste, Mr.  
13 Kilborn, Ms. Shuren, Dr. Heilman, Mr. Crockett and Mr. Ruda voted in favor of the motion. Mr.  
14 Winstead had not yet arrived. The motion passed.

15

16 **Appeals**

17 **A-6000 (Special Permit Request): Ms. Susan Schmedes and Mr. John J. Gorman, 45 West**  
18 **Lenox Street**—Install a fence attached to a retaining wall measuring a maximum of eleven feet,  
19 three inches (11'-3") in height along the north (rear) property line, and diminishing in height to  
20 seven feet, nine inches (7'-9") along a portion of the west (side) property line and seven feet,  
21 nine inches (7'-9") along a portion of the east (side) property line.

22

1 *Mr. Crockett made a motion to direct Counsel to draft a decision approving the request to install*  
2 *a fence attached to a retaining wall measuring a maximum of eleven feet, three inches (11'-3")*  
3 *in height along the north (rear) property line, and diminishing in height to seven feet, nine inches*  
4 *(7'-9") along a portion of the west (side) property line and seven feet, nine inches (7'-9") along*  
5 *a portion of the east (side) property line. Mr. Kilborn seconded the motion. Ms. Baptiste, Mr.*  
6 *Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda and Mr. Crockett voted in favor of the motion. Mr.*  
7 *Winstead had not yet arrived. The motion passed.*

8  
9 **A-5998 (Variance Request): Mr. and Mrs. Michael Summerfield, 7 Oxford Street—**

10 Construct a box-bay addition, a portion of which would encroach twelve (12) inches into the east  
11 (side) seven (7) foot side yard setback.

12  
13 *Mr. Kilborn made a motion to direct Counsel to draft a decision approving the request to*  
14 *construct a box-bay addition, a portion of which would encroach twelve (12) inches into the east*  
15 *(side) seven (7) foot side yard setback. Mr. Ruda seconded the motion. Ms. Baptiste, Mr.*  
16 *Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda and Mr. Crockett voted in favor of the motion. Mr.*  
17 *Winstead had not yet arrived. The motion passed.*

18  
19 **A-1948 (Tree Removal Appeal): Ms. Dafna Tapiero and Mr. Alan H. Fleischmann, 134**

20 **Grafton Street—**Removal of one 17.0-inch diameter (53.5-inch circumference) Zelkova tree  
21 located in the east (side) yard of the property, to accommodate a proposed addition.

1 *Mr. Kilborn made a motion to direct Counsel to draft a decision approving the request to remove*  
2 *one 17.0-inch diameter (53.5-inch circumference) Zelkova tree located in the east (side) yard of*  
3 *the property, to accommodate a proposed addition provided the applicants reforest with a*  
4 *deciduous hardwood tree which must be at least two and one-half (2 ½") inches in caliper at the*  
5 *time of installation, and of a species that achieves a mature height of at least forty-five (45') feet,*  
6 *obtain all applicable building permits, and present an executed contract for the construction of*  
7 *the addition. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr.*  
8 *Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion*  
9 *passed.*

#### 11 **Legal Counsel Report**

12 The Legal Counsel Report was distributed prior to the meeting. No action was taken by the  
13 Board.

#### 15 **Treasurer's Report**

16 The Treasurer's report was distributed to the Board prior to the meeting. No action was taken by  
17 the Board.

#### 19 **Committee Reports**

20 **Energy & Environment Committee: Report on the Chevy Chase Club's Use of Methyl**  
21 **Bromide**

1 Co-Chair of the Energy and Environment, Dr. Marilyn Bracken, presented an update on a recent  
2 meeting with the Chevy Chase Club and surrounding community leaders concerning the Club's  
3 proposed use of Methyl Bromide on their golf courses.

4  
5 *The Board agreed to send a letter to the president of the Chevy Chase Club requesting that the*  
6 *Club's Board reconsider its proposed use of the methyl bromide on the Club's greens. The letter*  
7 *will be drafted and signed by the Board Chair, Patricia Baptiste.*

#### 8 9 **Ethics Commission**

10 Action to Appoint Commission Chair, Margot Anderson of West Irving Street

11  
12 *Mr. Crockett made a motion to approve the appointment of Margot Anderson as Chair of the*  
13 *Village Ethics Commission.* Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Kilborn,  
14 Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the  
15 motion. The motion passed.

#### 16 17 **Chevy Chase Open Space Committee**

18 The Chevy Chase Open Space Committee's report was distributed to the Board prior to the  
19 meeting. No action was taken by the Board.

#### 20 21 **Old Business & Status Reports**

22 Oral Status Reports on the Wisconsin Avenue Sidewalk Project and the Police Chief  
23 Recruitment were presented. No action was taken by the Board.

1   **New Business**

2   **Supplemental Appropriation Request:**

3   \$6,430.95 from tax-based reserves and \$11,610.95 from *SafeSpeed* reserves (\$18,041.90 total,  
4   net of insurance settlement for totaled truck) to Capital Projects, Equipment for a Public Works  
5   truck.

6  
7   *Mr. Crockett made a motion to approve the Supplemental Appropriation Request for \$6,430.95*  
8   *from tax-based reserves and \$11,610.95 from SafeSpeed reserves (\$18,041.90 total, net of*  
9   *insurance settlement for totaled truck) to Capital Projects, Equipment for a Public Works truck.*

10   *Ms. Shuren seconded the motion.* Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr.  
11   Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

12  
13   **Contract Authorization Request:**

14   Professional Services for Preliminary Design Work for the Renovation of the Public Works  
15   Department's Offices and Facilities

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17   *Mr. Ruda made a motion to approve the Contract Authorization Request for Professional*  
18   *Services for Preliminary Design Work for the Renovation of the Public Works Department's*  
19   *Offices and Facilities. Mr. Winstead seconded the motion.* Ms. Baptiste, Mr. Kilborn, Ms.  
20   Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion.  
21   The motion passed.

1   **Manager's Report**

2   The Manager's Report was circulated prior to the meeting. No action was taken by the Board.

3  
4   **Approval of Minutes from the Board's Previous Executive Sessions held on September 12,**  
5   **2011 and on September 15, 2011.** Action to approve the minutes from the Board's previous  
6   Executive Sessions held on September 12, 2011 and on September 15, 2011.

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8   *Mr. Ruda made a motion to approve the minutes from the Board of Managers' Executive Sessions*  
9   *held on September 12, 2011 and September 15, 2011.* Mr. Winstead seconded the motion. Ms.  
10   Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Crockett and Mr. Ruda and Mr. Winstead  
11   voted in favor of the motion. The motion passed.

12  
13   The Board reported that on September 12, 2011 and September 15, 2011 it met in Executive  
14   Session in accordance with the Forms of Statement for Closing a Meeting attached hereto.

15  
16   **Police Report**

17   The Police Report was circulated prior to the meeting. No action was taken by the Board.

18  
19   **Staff Reports**

20   **Building and Tree Removal Permits and Permitting & Code Enforcement Activity Reports**

21   The Building and Tree Removal Permit and Permitting & Code Enforcement Activity Reports  
22   were circulated prior to the meeting. No action was taken by the Board.

1   **Capital and Infrastructure Upgrade Projects Report**

2   The Capital Infrastructure Upgrade Projects report was circulated prior to the meeting. No  
3   action was taken by the Board.

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5   **Village Hall Activity Report**

6   The Village Hall Activity Report was circulated prior to the meeting. No action was taken by the  
7   Board.

8  
9   *Mr. Ruda made a motion to adjourn the meeting.* Mr. Winstead seconded the motion. Ms.  
10   Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead  
11   voted in favor of the motion. The motion passed. The open meeting adjourned at 9:17 p.m.

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14   \_\_\_\_\_  
15                                      Secretary, Chevy Chase Village Board of Managers

16   *Draft Reviewed by: SD-C*